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On Dec-10-03

By: Patricia Muir

Patricia Muir

Attorney Docket No.: FUJI 19.448 (100794-00187)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

DEC 16 2003

OFFICE OF PETITIONS

Inventor: Jun OGAWA
Yuji SAITO

Serial No.: 10/075,430

Filed: February 13, 2002

Title: **A ROUTING CONTROL METHOD AND APPARATUS THEREOF
IN A MIXED ENVIRONMENT OF A HIERARCHICAL AND A
NON-HIERARCHICAL NETWORK**

Examiner: Daniel J. Ryman

Group Art Unit: 2665

December 10, 2003

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

PETITION UNDER 37 C.F.R. § 1.137(b)

Sir:

Petitioner hereby petitions the Commissioner to accept the attached Request for Continued Examination (RCE) as if the RCE were timely filed and no Abandonment had ever occurred.

A final Office Action was mailed on May 8, 2003 for the above-identified application. A Response to the Office Action was mailed on October 7, 2003, with a proper petition under 37 C.F.R. § 1.136(a) for a two-month extension. An Advisory Action was mailed on November 5, 2003 indicating that the Response of October 7, 2003 would not be entered.

Thus, the above-identified application was abandoned by failure to file an RCE on or before October 8, 2003. Applicant hereby petitions the Commissioner to revive the current application, and avers that the entire delay from the date of abandonment to filing the RCE was unintentional.

The Commissioner is hereby authorized to charge the petition fee required by § 1.137(b)(2) as set forth in § 1.17(m) to Deposit Account No. 50-1290. Any other fees due with this petition may also be charged on Deposit Account 50-1290.

Please direct any inquiries regarding this petition to the Applicant's undersigned attorney who may be reached directly by telephone at (212) 940-8729.

Respectfully submitted,



Thomas J. Bean
Reg. No. 44,528

CUSTOMER NUMBER 026304

KATTEN MUCHIN ZAVIS ROSENMAN
575 MADISON AVENUE
NEW YORK, NEW YORK 10022-2585
PHONE: (212) 940-8800/FAX: (212) 940-8776
DOCKET NO.: FUJI 19.448 (100794-00187)
TJB: pm